

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
AL JAVIER, :  
Plaintiff, :  
: :  
v. :  
: :  
ANTHONY RUSSO, et al., :  
Defendants. :  
-----x

U.S. DISTRICT COURT  
DOCUMENT  
ELECTRONICALLY FILED  
11-10-22  
11-10-22

ORDER

21 CV 7097 (VB)

Copies Mailed/Faxed  
Chambers of Vincent L. Braccetti

Plaintiff, who is proceeding pro se and in forma pauperis, brings claims brings claims under 42 U.S.C. § 1983 for violations of his constitutional rights.

On December 2, 2021, plaintiff filed the amended complaint. (Doc. #1).

On February 2, 2022, the Court entered an Order of Service ordering the U.S. Marshals Service to effectuate service on the defendants named in the amended complaint. (Doc. #14).

On May 13, 2022, the Court ordered the Office of the New York State Attorney General (“NYAG”) to ascertain new, updated addresses where certain of the defendants may be served. (Doc. #24).

By letters dated June 6 and June 7, 2022, the NYAG provided new addresses for defendants Anthony Russo, Anthony Annucci, Anthony Rodriguez, and James Morrissey. (Docs. ##25, 28).

On June 10, 2022, the Court entered an amended Order of Service ordering the U.S. Marshals service to effectuate service upon defendants Russo, Annucci, Rodriguez, and Morrissey. (Doc. # 29). There is no indication on the docket that these defendants have been served, although the Court has been informed that the Marshals Service is in the process of effecting service.

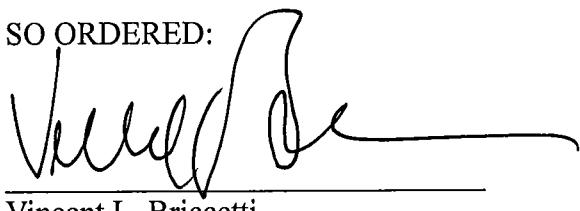
Accordingly, it is HEREBY ORDERED that Plaintiff's deadline pursuant to Fed. R. Civ. P. 4(m) to serve defendants Russo, Annucci, Rodriguez, and Morrissey is sua sponte extended to December 30, 2022.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. Cf. Coppededge v. United States, 369 U.S. 438, 444–45 (1962).

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: November 10, 2022  
White Plains, NY

SO ORDERED:

  
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Vincent L. Briccetti  
United States District Judge